IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 15259 of 2005

Between:

Mohammed Abdul Samee, s/o Mohd.Abdul Raheem,
r/o H.No.17-3-746/A, Yakutpura, Hyderabad.

..... PETITIONER

AND

The Regional Passport Officer, Passport Office, Hyderabad, having office at Adj.to Prashant Theatre,
Secunderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, order or direction more particularlyone in the nature of writ of mandamus declaring the inaction of the respondent/passport office for not considering the petitioner request for correction of petitioner date of birth as per SSC Certificate and Birth Certificate issued by the MCH authorities in the petitioner passport is arbitrary, discriminatory and illegal and against the spirit of the Constitution of India and consequently direct the respondent/passport authorities to correct the petitioner date of birth as 05-02-1967 instead of 07-06-1959 in passport Book No.V-199392, dt.08-10-1995, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.NAZIR AHMED KHAN

Counsel for the Respondent No.: MR.A.RAJASHEKAR REDDY (ASST SOLICITOR GEN)

The Court made the following :

-

-

-

-

-

-

-

-

-

ORDER:

-

Heard the learned counsel appearing for both sides and with their consent the writ petition is disposed of at the admission stage.

The petitioner seeks a direction to the respondent-Regional Passport Officer, Secunderabad to issue a passport with the correct date of birth as entered in the Secondary School Certificate issued by the Secretary, Board of Secondary Education, Andhra Pradesh, Hyderabad.

The learned counsel for the petitioner draws my attention to the judgment of this Court in ***MOHD.NASRULLAH KHAN v. REGIONAL PASSPORT OFFICER, HYDERABAD*** wherein this Court held that since the Secondary School Certificate has been produced to prove the correct date of birth, the claim of the candidate is covered by Clause (a) of the Circular dated 18-04-2001 and consequently a direction was issued to the respondent to consider the application of the petitioner along with the Secondary School Certificate and to pass appropriate orders.

Following the aforesaid judgment, direction is issued to the respondent-Regional Passport Officer, Secunderabad, to consider the request of the petitioner along with the Secondary School Certificate issued by the Secretary, Board of Secondary Education, Andhra Pradesh, Hyderabad and pass appropriate orders thereon.

The Writ Petition is accordingly disposed of. No order as to costs.

_____

15-7-2005

asp

To

1. The Regional Passport Officer, Secunderabad, A.P.

2. Two C.D. copies.